

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER:  
ASAHI-1-PC-1

U.S. APPLICATION NO. (if known, see 37 CFR 1.51)  
**09/701001**

INTERNATIONAL APPLICATION NO.:  
PCT/JP99/02711

INTERNATIONAL FILING DATE:  
24 May 1999

PRIORITY DATE CLAIMED:  
25 May 1998 and 26 May 1998

TITLE OF INVENTION: CELL SEPARATION DEVICE AND SEPARATION METHOD

APPLICANT(S) FOR DO/EO/US: Mitsuharu ONO, Takayuki SOKA, Ikuo MORIMOTO, and Koichi MIYAMURA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
  4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☒ has been transmitted by the International Bureau. (see attached copy of PCT/IB/308)
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
  7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
    - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ have been transmitted by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Item 11. to 16. below concern document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☒ A **FIRST** preliminary amendment.
  14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  15. ☐ A substitute specification.
  16. ☐ A change of power of attorney and/or address letter.
  17. ☒ Other items or information:

International Preliminary Examination Report (PCT/IPEA/409) and an English translation  
International Search Report (PCT/ISA/210) and an English translation  
Form PCT/IB/308  
Receipt for Original Deposit of a Microorganism (under Rule 1.7) and an English translation  
Sequence Listing and Diskette with computer readable Sequence Listing  
Application Data Sheet

U.S. APPLICATION NO. 69/701001

INTERNATIONAL APPLICATION NO.  
PCT/JP99/02711ATTORNEY'S DOCKET NO.  
ASAHI-1-PC-1

## CALCULATIONS PTO USE ONLY

17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$ 1,000.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$ 860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$ 710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$ 690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$ 100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$ 860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	28 - 20 =	8	X \$18.00	\$ 144.00
Independent claims	17 - 3 =	14	X \$80.00	\$ 1,120.00
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$270.00	\$

**TOTAL OF ABOVE CALCULATIONS =**

\$ 2,254.00

Reduction of 1/2 for filing by small entity, if applicable. Applicant claims Small Entity Status under 37 CFR 1.27. +

**SUBTOTAL =**

\$ 2,254.00

Processing fee of \$130 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.49(f)).

**TOTAL NATIONAL FEE =**

\$ 2,254.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

**TOTAL FEES ENCLOSED =**

\$ 2,254.00

Amount to be  
refunded:

charged:

- a. ☒ A check in the amount of \$ 2,254.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. **25-0120** in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required by 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. **25-0120**. A duplicate copy of this sheet is enclosed.

SEND ALL CORRESPONDENCE TO:

**Customer No. 000466**

YOUNG & THOMPSON  
745 South 23rd Street  
2nd Floor  
Arlington, VA 22202  
(703) 521-2297 facsimile (703) 685-0573

November 17, 2000

By

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Reg. No. 35,041 for

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